



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/244,788	02/05/1999	SUKETU A. PARIKH	002818/PDD/P	4159

7590 01/15/2002
PATENT COUNSEL MS 2061
LEGAL AFFAIRS DEPARTMENT
APPLIED MATERIALS INC
P O BOX 450A
SANTA CLARA, CA 95052

EXAMINER

PHAM, THANHHA S

ART UNIT	PAPER NUMBER
----------	--------------

2813

DATE MAILED: 01/15/2002

#18

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/244,788

Applicant(s)

PARIKH, SUKETU A.

Examiner

Thanhha Pham

Art Unit

2813

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 18 December 2001 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 3 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☒ The proposed amendment(s) will not be entered because:
- (a) ☒ they raise new issues that would require further consideration and/or search (see NOTE below);
- (b) ☐ they raise the issue of new matter (see Note below);
- (c) ☒ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
- (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: See Continuation Sheet.

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because: _____.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: _____.

Claim(s) objected to: _____.

Claim(s) rejected: 1,5-19,21 and 23-31.

Claim(s) withdrawn from consideration: 33-42.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____

- Continuation of 2. NOTE: Proposal amendments in claims 5, 11-13, 15, 19 and 24 raise new issues that require further consideration/search -- for example, "depositing a first dielectric layer on the substrate such that there is no material layer interposed between the interconnect line and the substrate" "metallic superconductors and nonmetallic having zero direct current resistance at or below their superconducting transition temperature" ... require further search/consideration..



Chandra Chaudhari
Primary Examiner

LAW OFFICE of ALBERT J. DALHUISEN
Patents • Intellectual Property • Licensing

1217 Rousseau Drive
Sunnyvale, California 94087

Telephone (408) 773-0435
Facsimile (408) 738-4057

Facsimile Cover Sheet

Examiner Thanhha Pham
Art Unit 2813
U.S. Patent and Trademark Office
Washington, D.C. 20231

FAX COPY RECEIVED

JAN 3 2002

FAX: (703) 308-7722

TECHNOLOGY CENTER 2800

From: Albert J. Dalhuisen

Date: January 3, 2002

Time: 10:40 a.m. p.m.

Pages (including cover): 4

Docket No.: 002818/PDD/PSI/JW

This facsimile transmission contains confidential or privileged information from the Law Office of Albert J. Dalhuisen which is intended to be a confidential communication only to the person or entity to whom it is addressed. If you have received this facsimile in error, please notify us immediately by telephone at our expense so that we can arrange for the return of the original facsimile documents to this office.

Serial No.: 09/244,788

PATENT

Attorney Docket No.: 002818/PDD/PSI/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Suketu A. Parikh

Serial No.: 09/244,788

Filed: 2/5/99

For: Dual Damascene Misalignment
Tolerant Techniques For Vias And
Sacrificial Etch Segments

) Group:

) Art Unit: 2813

) Examiner: Pham T.

)

) TRANSMITTAL

)

)

) PATENT COUNSEL

) APPLIED MATERIALS, INC.

) Legal Affairs Department

) P.O. Box 450 A

) Santa Clara, CA 95052

Assistant Commissioner for Patents
Washington, D.C. 20231FAX COPY RECEIVED
JAN 3 2002
TECHNOLOGY CENTER 2800

Sir:

TRANSMITTAL OF CORRECTED TRANSMITTAL LETTER

Enclosed herewith please find a corrected Transmittal Letter dated January 3, 2002 for the above-identified patent application.

Respectfully submitted,

Dated: January 3, 2002By: Albert J. Dalhuisen

Albert J. Dalhuisen

Reg. No.: 36,117

CERTIFICATE OF FACSIMILE TRANSMISSION (37 CFR §1.8 (a))

I hereby certify that this paper (along with any referred to as being attached, enclosed or included) is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

LAW OFFICE of ALBERT J. DALHUISEN

Dated: January 3, 2002By: Albert J. Dalhuisen

Albert J. Dalhuisen

PATENT

Attorney Docket No.: 002818/PDD/PSI/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Suketu A. Parikh

Serial No.: 09/244,788

Filed: 2/5/99

For: Dual Damascene Misalignment
Tolerant Techniques For Vias And
Sacrificial Etch Segments

) Group:

) Art Unit: 2813

) Examiner: Pham T.

)

) Corrected Transmittal Letter

)

)

) PATENT COUNSEL

) APPLIED MATERIALS, INC.

) Legal Affairs Department

) P.O. Box 450 A

) Santa Clara, CA 95052

Assistant Commissioner for Patents
Washington, D.C. 20231

FAX COPY RECEIVED

JAN 3 2002

Sir:

TECHNOLOGY CENTER 2800

CORRECTED TRANSMITTAL LETTER

Applicant respectfully requests substitution of applicant's Transmittal Letter sent 12/18/01 (having Express Mail Receipt No.: EF279587515US) with the present Transmittal Letter dated January 3, 2002 in order to correct applicant's mistake in the 12/18/01 Transmittal Letter. The 12/18/01 Transmittal Letter incorrectly refers to the Office Action date as 1/18/01. The correct Office Action date to which applicant's response is directed is 10/18/01. Applicant's 12/18/01 Amendment and Response refers to the correct Office Action date of 10/18/01. Applicant's undersigned representative discussed the request by telephone with Examiner Pham on January 3, 2002. The Examiner kindly agreed to receive a faxed correction of the Transmittal Letter for review by the PTO. Applicant thanks Examiner Pham for her assistance in this matter.

Respectfully submitted,

Dated: January 3, 2002By: 

Albert J. Dalhuisen

Reg. No.: 36,117

PATENT

Attorney Docket No.: 002818/PDD/PSI/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Suketu A. Parikh) Group Art Unit 2813
) Examiner: Pham T.
 Serial No.: 09/244,788)
)
 Filed: 2/5/99)
)
 For: Dual Damascene Misalignment Tolerant)
 Techniques For Vias And Sacrificial)
 Etch Segments)

Assistant Commissioner for Patents
 Washington, D.C. 20231

Sir:

Transmitted herewith is an **AMENDMENT AND RESPONSE** in the above-identified application, in response to the Office Action mailed 10/18/01. The fee has been calculated as shown below.

	(Col.1)		(Col.2)	(Col.3)		
	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
TOTAL	23	MINUS	42	0	\$18.00	\$0.00
INDEPENDENT	4	MINUS	6	0	\$84.00	\$0.00
FIRST	PRESENTATION	OF	MULTIPLE DEPENDENT	CLAIM		
						TOTAL ..\$0.00

- * If the entry in Col.1 is less than the entry in Col.2, "0" is written in Col.3.
 ** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 20, "20" is written in this space.
 *** If the "Highest Number Previously Paid for" IN THIS SPACE is less than 3, "3" is written in this space.
 The "Highest Number Previously Paid For" (Total or Independent is the highest number found from the equivalent box in Col.1 of a prior amendment or the number of claims originally filed.)

X No additional Filing Fee is required.

 Petition to extend time to respond.

 Extension Fee

 Other. Please specify:

Please address all correspondence to:

PATENT COUNSEL
 APPLIED MATERIALS, INC.
 Legal Affairs Department
 P.O. Box 450 A
 Santa Clara, CA 95052

TECHNOLOGY CENTER 2800

Respectfully Submitted,

By: 

Albert J. Dalhuisen
 Registration No.: 36,117

Dated: January 3, 2002